

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: FRONTIER COMMUNICATIONS OF IOWA, INC.	DOCKET NO. WRU-04-53-259
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ORDER GRANTING WAIVER AND REQUEST FOR CONFIDENTIALITY

(Issued December 2, 2004)

On November 23, 2004, Frontier Communications of Iowa, Inc. (Frontier), filed with the Utilities Board (Board) a request for a waiver of the number utilization threshold requirements for the Fort Dodge, Iowa, rate center. The requirements are outlined in various orders of the Federal Communications Commission (FCC) relating to optimization of telephone numbering resources.

Frontier states it received a request from a corporate customer for 1,000 consecutive direct inward dialing (DID) numbers in the Fort Dodge rate center. Frontier states that it does not have the sequential numbers to fulfill the customer's request without a new block of 10,000 numbers (sometimes referred to as a new NXX), but the block of numbers is available through NeuStar, Inc. (NeuStar), the North American Numbering Plan Administrator (NANPA). On November 18, 2004, Frontier submitted a request for the numbers to NeuStar, but that request was denied because Frontier did not meet the "months-to-exhaust" threshold for the Fort Dodge rate center.

The FCC has given states the authority to overturn NANPA's decision to withhold numbering resources from a carrier based on the state's determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all available remedies. (See 47 C.F.R. § 52.15(g)(4)). In addition, the FCC states that carriers may demonstrate the need for additional numbering resources by providing the state with documentation of a customer request and current proof of utilization in the rate center. (FCC 01-362, ¶ 64). The FCC is careful to point out, however, that states may not accommodate requests for specific numbers (i.e., vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers. (Id.) Therefore, a statement by the carrier regarding the types of numbers being requested is necessary.

The information filed by Frontier in support of its request satisfies the requirements specified in the FCC's orders delegating waiver authority to the Board. Frontier has provided documentation of its customer's request for 1,000 consecutive DID numbers as well as statements regarding number utilization in the Fort Dodge rate center. Frontier also states that its customer is not requesting a block of vanity numbers.

Also on November 23, 2004, Frontier filed a request for confidential treatment of its initial application to NeuStar, which was submitted in support of its waiver request. Frontier supports its request for confidentiality with an affidavit by a corporate officer, stating that the information constitutes a report to a government

agency within the meaning of Iowa Code § 22.7(6). The materials were sealed in a separate envelope and marked confidential.

Iowa Code § 22.7(6) provides confidential treatment for public records that are reports to government agencies and which, if released, would give advantage to competitors and would serve no public purpose. The Board finds the submitted information constitutes a report to a government agency and the Board finds that the release of the information would serve no public purpose. Therefore, the Board will hold the information confidential under the provisions of Iowa Code § 22.7(6) as requested by Frontier on November 23, 2004.

IT IS THEREFORE ORDERED:

1. The request for waiver of the FCC's utilization threshold requirements filed by Frontier Communications of Iowa, Inc., is granted as discussed in the body of this order.
2. The Executive Secretary of the Utilities Board shall mail a copy of this order to NeuStar, Inc., 1800 Sutter Street, Suite 780, Concord, CA 94520, to the attention of Ms. Tara Farquhar, Iowa Number Pooling Administrator.
3. The request for confidentiality filed by Frontier Communications of Iowa, Inc., on November 23, 2004, is granted pursuant to Iowa Code § 22.7(6).

4. The information shall be held confidential by the Board subject to the provisions of 199 IAC 1.9(8)"b"(3).

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 2nd day of December, 2004.